



THE OFFICIAL DATED STAMP HEREON BY THE U.S. PATENT AND TRADEMARK  
OFFICE WILL ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

Applicant: Jon M. Bishay et al.

Serial No.: 09/751,382

C/M No.: 000309.00212

Enclosures: RE-FILED INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97, in duplicate;

PTO-1449; and

77 References.

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000309.00212  
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EXAMINER GEORGE R. EVANISKO - Art Unit 3762 (703) 308-2612

BUILDING CRYSTAL PLAZA 2, ROOM 3B18

5/26/4



Docket No. 000309.00212

**EXPEDITED HANDLING REQUESTED**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Jon M. Bishay et al.  
SERIAL NO: 09/751,382 GAU: 3762  
FILED: December 29, 2000 EXAMINER: George R. Evanisko  
FOR: Apparatus and Method for Coupling Therapeutic and/or Monitoring Equipment to a Patient

**RE-FILED**  
**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
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Applicants wish to disclose the following information.

The references attached hereto and listed on form PTO-1449 were previously submitted to the U.S. Patent and Trademark Office in an Information Disclosure Statement filed on July 31, 2002. In the Office Action dated December 31, 2002, the Examiner stated that the references were not considered because "several references lacked a date of publication, the references could not be found in the parent application, or the parent application was unavailable and the references could not be retrieved."

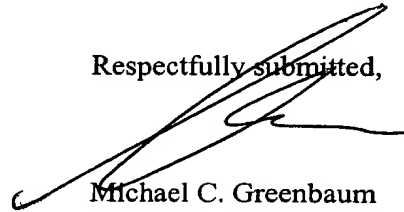
No item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in any counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this statement.

Pursuant to the Examiner's comments in the Office Action dated December 31, 2002, applicants submit for consideration the references listed in form PTO-1449 attached hereto. The references that are deemed most pertinent by applicants are marked with an "X" in the right hand column on form PTO-1449.

It is respectfully requested that the Examiner give expedited consideration to these disclosures so that applicants meet all certification requirements for statements under 37 CFR 1.97(e).

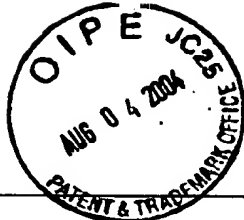
Please charge the fee of \$180.00 and any additional fees that may be required to Deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael C. Greenbaum", is written over the typed name and title.

Michael C. Greenbaum  
Attorney for Applicants  
Reg. No. 28,419

BLANK ROME LLP  
The Watergate 900 New Hampshire Ave., N.W.  
Washington, DC 20037  
(202) 772-5800



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STATEMENT BY APPLICANT  
Form PTO-1449 (Modified)  
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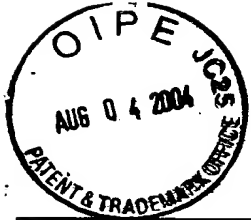
Application Number	091751,382
Confirmation Number	7499
Filing Date	December 29, 2000
First Named Inventor	Jon M. Bishay
Group Art Unit	3762
Examiner Name	George R. Evanisko
Attorney Docket No.	000309.00212

Sheet 1 of 12

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			
		6,539,264		Bishay et al.	03/25/03	
		6,493,592		Leonard et al.	12/10/02	
		6,549,797		Leonard et al.	04/15/03	
		6,556,869		Leonard et al.	04/29/03	
		6,552,927		Bishay et al.	02/18/03	
		6,549,810		Leonard et al.	04/15/03	
		6,516,226		Bishay et al.	02/04/03	
		6,560,491		Bishay et al.	05/06/03	
		3,030,959		Grunert	04/24/62	
		3,090,151		Stewart et al.	05/21/63	
		3,208,452		Stern	09/28/65	
		3,938,526		Anderson et al.	02/17/76	
		3,943,935		Cameron	03/16/76	
		3,983,881		Wickham	10/05/76	
		4,139,011		Benoit et al.	02/13/79	
		4,207,903		O'Neill	06/17/80	
		4,256,116		Meretsky et al.	03/17/81	
		4,281,659		Farrar et al.	08/04/81	
		4,431,000		Butler et al.	02/14/84	
		4,437,467		Helfer et al.	03/20/84	
		4,512,351		Pohndorf	04/23/85	
		4,556,064		Pomeranz et al.	12/03/85	
		4,583,549		Manoli	04/22/86	
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Attorney Docket No.	000309.00212

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U.S. Patent or Application

U.S. Patent or Application	Inventor	Date
4,685,466	Rau	08/11/87
4,686,996	Ulbrich	08/18/87
4,712,558	Kidd et al.	12/15/87
4,765,310	Deagle et al.	08/23/88
4,895,154	Bartelt et al. -	01/23/90
4,934,371	Malis et al.	06/19/90
4,949,734	Bernstein	08/21/90
4,953,564	Berthelsen	09/04/90
5,012,811	Malis et al.	05/07/91
5,036,850	Owens	08/06/91
5,054,486	Yamada	10/08/91
5,094,242	Gleason et al.	03/10/92
5,117,826	Bartelt et al.	06/02/92
5,211,175	Gleason et al.	05/18/93
5,246,014	Williams et al.	09/21/93
5,255,691	Otten	10/26/93
5,269,304	Matthews	12/14/93
5,281,218	Imran	01/25/94
5,332,401	Davey et al.	07/26/94
5,417,719	Hull et al.	05/23/95
5,423,314	Schmid	06/13/95
5,439,440	Hofmann	08/08/95
5,449,378	Schouenborg	09/12/95
5,593,429	Ruff	01/14/97
5,649,936	Real	07/22/97

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Examiner Name	George R. Evanisko
Attorney Docket No.	000309.00212

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		U.S. Patent or Application			
		5,682,233		Brinda	10/28/97
		5,674,267		Mir et al.	10/07/87
		5,810,762		Hofmann	09/22/98
		5,861,015		Benja-Athon	01/19/99
		5,873,849		Bernard	02/23/99
		5,928,144		Real	07/27/99
		5,941,845		Tu et al.	08/24/99
		5,948,008		Daikuzono	09/07/99
		5,968,063		Chu et al.	10/19/99
		6,009,347		Hofmann	12/28/99
		6,032,064		Devlin et al.	02/29/00
		6,035,236		Jarding et al.	03/07/00
		6,050,992		Nichols	04/18/00
		6,068,650		Hofmann et al.	05/30/00
		6,122,547		Benja-Athon	09/19/00
		6,208,893		Hofmann	03/27/01
		6,219,569		Kelly et al.	04/17/01
		6,304,785		McCreery et al.	10/16/01
		6,341,237		Hurtado	01/22/02
		Des. 297,047		Hon et al.	08/02/88
		Des. 318,330		Doty et al.	07/16/91
		Des. 357,069		Plahn et al.	04/04/95
		Des. 443,063		Pisani et al.	05/29/01
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		Attorney Docket No. 000309.00212
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### FOREIGN PATENT DOCUMENTS

		Foreign Patent or Application			Date of Publication or Filing Date of Cited Document	TRANSLATION YES NO	
Examiner Initial	Cite No.	Office	NUMBER (if known)	Kind Code	Name of Patentee or Applicant of Cited Document		
		FR	2500309		Faiveley	08/27/82	X
		FR	2500745		Dervieux	09/03/82	X
		GB	2 163 355 A		Simonin	02/26/86	
		WO	01/39829 A1		Vertis Neuroscience, Inc.	06/07/01	

### OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	PERTINENT
		ASSOCIATION FOR ADVANCEMENT OF MEDICAL INSTRUMENTATION, "Implantable Peripheral Nerve Stimulators," American National Standard, ANSI/AAMI NS15 - 1995 pp. 1-8 NS15 - 1995 pp. 1-8	
		AHMED H. et al. "Percutaneous Electrical Nerve Stimulation (PENS): A Complementary Therapy for the Management of Pain Secondary to Bony Metastasis", The Clinical Journal of Pain (December 1998) Vol. 14, No. 4, pp. 320-3, Lippincott Williams & Wilkins, Philadelphia.	
		AHMED H. et al. "Percutaneous Electrical Nerve Stimulation: An Alternative to Antiviral Drugs for Acute Herpes Zoster," Anesthesia & Analgesia (October 1998) 87: 911-4.	

Examiner	Date Considered
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<p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) (Use several sheets if necessary)</p>	<i>COMPLETE IF KNOWN</i>	
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	First Named Inventor	Jon M. Bishay
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Attorney Docket No.	000309.00212	

Sheet 5 of 12

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

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		ALMAY, B.G.L. et al., "Long-Term High Frequency Transcutaneous Electrical Nerve Stimulation (hi-TNS) in Chronic Pain. Clinical Response and Effects on CSF Endorphins, Monoamine Metabolites, Substance P-Like Immunoreactivity (SPLI) and Pain Measures," Journal of Psychosomatic Research, (1985) Vol. 29, No. 3, pp. 247-257, Pergamon Press Ltd. Great Britain	
		BAKER, L. L., et al. "Effects of Waveform on Comfort during Neuromuscular Electrical Stimulation," Clinical Orthopaedics and Related Research, August 1998, No. 223, pp. 75-85	
		BALLEGAARD, S. et al. "Acupuncture and Transcutaneous Electric Nerve Stimulation in the Treatment of Pain Associated with Chronic Pancreatitis. A Randomized Study", Scand. J. Gastroenterol. (June 1985) 20: 1249-54.	
		BALOGUN, J. et al. "The effects of acupuncture, electroneedling and transcutaneous electrical stimulation therapies on peripheral haemodynamic functioning", Disability and Rehabilitation (February 1998) Vol. 20, No. 2, pp. 41-8, Taylor & Francis Ltd.	
		BALOGUN, J., "Effects of Ramp Time on Sensory, Motor and Tolerance Thresholds during Exogenous Electrical Stimulation," The Journal of Sports Medicine and Physical Fitness, (December 1991) Vol. 31, No. 4, pp. 521-526	
		BD MICROTAINER Brand Safety Flow Lancet - Product Number 366356. BD catalog 1997-2000, <a href="http://catalog.bd.com/sctipts/OBDsheet.exe?FNC=productlist">http://catalog.bd.com/sctipts/OBDsheet.exe?FNC=productlist</a> Alistproducts.html 3 66356 (August 2001), 3 pages.	
		BD Safety Products. BD Vacutainer Safety-Lok Blood Collection Set; BD Vacutainer SafetyGlide Blood Collection Assembly and BD Vacutainer Eclipse Blood Collection Needle, 1 page.	
		BD Vacutainer SafetyGlide Blood Collection Assembly. Quick Reference Card (October 1999), 1 page.	
Examiner		Date Considered	





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Sheet 6 of 12

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		BRULL, S. J., et al., "Pulse Width, Stimulus Intensity, Electrode Placement, and Polarity during Assessment of Neuromuscular Block," Anesthesiology, (October 1995) V. 83, No. 4, pp. 702-709, Lippincott-Raven Publishers	
		BUSHNELL M. C. et al. "Electrical stimulation of peripheral and central pathways for the relief of musculoskeletal pain", Can. J. Physiol. Pharmacol. (May 1991) 69: 697703.	X
		CARROLL, D. et al., "Randomization is Important in Studies with Pain Outcomes; Systematic Review of Transcutaneous Electrical Nerve Stimulation in Acute Postoperative Pain," British Journal of Anesthesiology, (1996) Vol. 77, pp. 798-803	
		CASSUTO, J. et al., "The Use of Modulated Energy Carried on a High Frequency Wave for the Relief of Intractable Pain," International Journal of Clinical Pharm.Research (1993) XI II (4) pp. 239-241	
		CHENG R., POMERANZ, B. "Electroacupuncture analgesia could be mediated by at least two pain-relieving mechanisms: endorphin and non-endorphin systems", Life Sciences (December 1979) 25: 1957-62, Pergamon Press Ltd.	X
		CHENG R. et al. "Electroacupuncture elevates blood cortisol levels in naive horses; sham treatment has no effect", Intern. J. Neuroscience (February 1980) Vol. 10, pp. 95-7, Gordon and Breach Science Publishers, Inc., Great Britain.	
		CHENG R. S. S., POMERANZ, B. "Electrotherapy of Chronic Musculoskeletal Pain: Comparison of Electroacupuncture and Acupuncture-Like Transcutaneous Electrical Nerve Stimulation", The Clinical Journal of Pain (1987) Vol. 2, No. 3, pp. 143-9, Raven Press, New York.	X
		CRAMP, A.F.L. et al., "The Effect of High- and Low-Frequency Transcutaneous Electrical Nerve Stimulation Upon Cutaneous Blood Flow and Skin Temperature in Healthy Subjects," Clinical Physiology 20, (2000) 2, pp. 150-157, Blackwell Science Ltd.	
		Empi Eclipse+ Dual Channel Transcutaneous Electrical Nerve Stimulator User's Manual, Empi, Inc. (September 1998), US Patent #D282,968, 31 pages.	
Examiner		Date Considered	



**OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <b>Form PTO-1449 (Modified)</b> (Use several sheets if necessary)	<i>COMPLETE IF KNOWN</i>	
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		Empi EPIX VT Dual Channel Transcutaneous Electrical Nerve Stimulator Instruction Manual, Empi, Inc. (1997) 22 pages.	
		Empi EPIX XL TENS Instruction Manual, Empi, Inc. (September 1998) U.S. Patent No. D319,881, 22 pages.	
		Empi, Our Products: Electrotherapy for Rehabilitation, <a href="http://www.empi.com/b/b2.htm">http://www.empi.com/b/b2.htm</a> , (March 2001), 8 pages.	
		FOSTER, N.E., et al., "Manipulation of Transcutaneous Electrical Nerve Stimulation Variables Has No Effect on Two Models of Experimental Pain in Humans," The Clinical Journal of Pain, (1996) 12; pp. 301-310, Lippincott-Raven Publishers, Philadelphia	
		GADSBY, G. et al. "Nerve stimulation for low back pain - a review," Nursing Standard (July 1997) Vol. 11, No. 43, pp. 32-33.	
		GALLETI, S.P., et al., "Highlights in the Subject of Low Frequency-High Intensity TENS," Minerva Stomatologica (Italy) (Sept. 1995), 44, pp. 421-429	
		GHONAME, E. et al. "Does the Stimulus Frequency Affect the Analgesic Response to Electrical Stimulation?" Anesthesia & Analgesia (November 1999) 88: S210, Lippincott Williams & Wilkins.	X
		GHONAME, E. et al. "Percutaneous Electrical Nerve Stimulation for Low Back Pain", JAMA (March 1999) Vol. 281, No. 9, pp. 818-23.	X
		GHONAME, E. et al. "Percutaneous electrical nerve stimulation: an alternative to TENS in the management of sciatica", Pain (November 1999) 83: 193-9, Elsevier Science B.V.	X
		GHONAME, E. et al. "The Effect of Stimulus Frequency on the Analgesic Response to Percutaneous Electrical Nerve Stimulation in Patients with Chronic Low Back Pain", Anesthesia & Analgesia (October 1999) 88: 841-6.	X

Examiner

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	COMPLET	KNOWN
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		GHONAME, E. et al. "The Effect of the Duration of Electrical Stimulation on the Analgesic Response", Anesthesia & Analgesia (January 1999) 88: S211.	X
		GOPALKRISHNAN, P., et al., "Effect of Varying Frequency, Intensity, and Pulse Duration of Transcutaneous Electrical Nerve Stimulation on Primary Hyperalgesia in Inflamed Rats," Arch. Phys. Med. Rehabil., (July 2000) Vol. 81, pp. 984-990	
		GRACANIN, F., et al., "Optimal Stimulus Parameters for Minimum Pain in the Chronic Stimulation of Innervated Muscle," Arch. Phys. Med. Rehabil. (June 1975) Vol. 56, pp. 243-249	
		HAMZA, M. et al. "Effect of the Duration of Electrical Stimulation on the Analgesic Response in Patients with Low Back Pain", Anesthesiology (December 1999), Vol. 91, No. 6, pp. 1622-7, Lippincott Williams & Wilkins, Inc.	
		HAMZA, M.A., et al., "Effect of the Frequency of Transcutaneous Electrical Nerve Stimulation on the Postoperative Opioid Analgesic Requirement and Recovery Profile," Anesthesiology, (Nov. 1999) V. 91, No. 5, pp. 1232-1238	
		HAN, J.S. et al., "Effect of Low- and High-Frequency TENS on Met-enkephalin-Arg Phe and dynorphin A immunoreactivity in human lumbar CSF," Pain, (1991) Vol. 47, pp. 295-298, Elsevier Science Publishers B.V.	
		Healthronics HANS LY257 User Manual, Healthronics Pte Ltd., Singapore, 15 pages.	
		Innovative Healthcare: Electrotherapy Pain & Rehabilitation Product Solutions from Rehabilicare. [Includes product description of SporTX and Ortho DX], <a href="http://www.mvpdesign.com/sites/rehabilicare/all_products.html">http://www.mvpdesign.com/sites/rehabilicare/all_products.html</a> , (August 2001), 3 pages.	
		Intelect Legend Stim Clinical Reference Manual, Vol. 4 Intelect Legend Series, Chattanooga Group, Inc., (July 2000) 25 pages.	

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		JETTE, D. U. et al., "Effect of Different Forms of Transcutaneous Electrical Nerve Stimulation on Experimental Pain," Physical Therapy, (February 1986) Volume 66/Number 2, pp. 187-193	X
		JOHNSON, M. I. et al., "Analgesic Effects of Different Pulse Patterns of Transcutaneous Electrical Nerve Stimulation on Cold-Induced Pain in Normal Subjects," Journal of Psychosomatic Research (1991) Vol. 35, No.2/3, pp. 313-321, Great Britain	
		JOHNSON, M. I. et al., "Analgesic Effects of Different Frequencies of Transcutaneous Electrical Nerve Stimulation on Cold-Induced Pain in Normal Subjects," Pain, (1989) 39, pp. 231-236, Elsevier Science Publishers B.V.	
		JOHNSON, M.I. et al., "An In-Depth Study of Long-Term Users of Transcutaneous Electrical Nerve Stimulation (TENS). Implications for Clinical Use of TENS," Pain (1991) 4, pp. 221-229, Elsevier Science Publishers B.V.	
		KATIMS, J.J. et al., "Transcutaneous Nerve Stimulation Frequency and Waveform Specificity in Humans," Appl. Neurophysiol. (1986) 49: pp. 86-91	X
		LANDAU, B. et al. "Neuromodulation Techniques for Medically Refractory Chronic Pain", Annu. Rev. Med. (February 1993) 44: 279-87, Annual Reviews Inc.	
		LEEM, J.W. et al., "Electrophysiological Evidence for the Antinociceptive Effect of Transcutaneous Electrical Stimulation on Mechanically Evoked Responsiveness of Dorsal Horns Neurons in Neuropathic Rats," Neuroscience Letters (1995) 192, pp. 197-200, Elsevier Science Ireland Ltd.	
		LEHMANN T. et al. "Efficacy of Electroacupuncture and TENS in the Rehabilitation of Chronic Low Back Pain Patients", Pain (September 1986) 26: 277-90, Elsevier Science Publishers B.V.	X
		LISS, S. et al., "Physiological and Therapeutic Effects of High Frequency Electrical Pulses," Integrative Physiological and Behavioral Science, (April-June 1996) Vol. 31, No. 2, pp.88-94	

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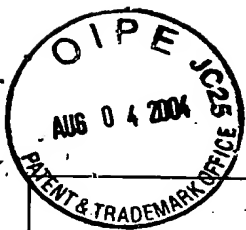
Sheet 10 of 12

**OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	PERTINENT
		MARCHAND, S. et al., "Modulation of Heat Pain Perception by High Frequency Transcutaneous Electrical Nerve Stimulation (TENS)," The Clinical Journal of Pain (1991) 7: pp. 122-129, Raven Press Ltd., New York	
		Model AWQ-104B Multi-Purpose Electronic Acupunctoscope Instruction Manual, 10 pages.	
		MORENO-ARANDA, J. et al., "Electrical Parameters for Over-the-Skin Muscle Stimulation," J. Biomechanics, (1981) Vol. 14, No. 9, pp. 579-585, Pergamon Press Ltd.	
		MORENO-ARANDA, J. et al., "Investigation of Over-the-Skin Electrical Stimulation Parameters for Different Normal Muscles and Subjects," J. Biomechanics, (1981) Vol. 14, No. 9, pp. 587-593, Pergamon Press Ltd., Great Britain	
		O'BRIEN, W. J. et al., "Effect of Transcutaneous Electrical Nerve Stimulation on Human Blood B-Endorphin Levels," Physical Therapy, (September 1984) Volume 64/Number 9, pp. 1367-1374	
		OMURA, Y., "Basic Electrical Parameters for Safe and Effective Electro Therapeutics [Electro-Acupuncture, TES, TENMS, (or TEMS), TENS and Electro Magnetic Field Stimulation with or without Drug Field] for Pain, Neuromuscular Skeletal Problems, and Circulatory Disturbances," Acupuncture & Electro Therapeutics Res., Int. J. (1987) Vol. 12, pp. 201-225, Pergamon Journals Ltd., USA	
		OMURA, Y., Electrical Parameters for Safe and Effective Electro-Acupuncture and Transcutaneous Electrical Stimulation: Threshold Potentials for Tingling, Muscle Contraction and Pain; and How to Prevent Adverse Effects of Electro-Therapy," Acupuncture and Electro-Therapeutics Res., Int. J., (1985) Vol. 10, Pergamon Press Ltd. USA	X
		ORDOG, G.J., "Transcutaneous Electrical Nerve Stimulation versus Oral Analgesic: A Randomized Double-Blind Controlled Study in Acute Traumatic Pain," American Journal of Emergency Medicine, (January 1987) Volume 5, Number 1, pp. 6-10	

Examiner

Date Considered



**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
Form PTO-1449 (Modified)  
(Use several sheets if necessary)**

Sheet 11 of 12

**COMPLETE IF KNOWN**

Application Number **09/751,382**  
 Confirmation Number **7499**  
 Filing Date **December 29, 2000**  
 First Named Inventor **Jon M. Bishay**  
 Group Art Unit **3762**  
 Examiner Name **George R. Evanisko**  
 Attorney Docket No. **000309.00212**

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		Pointer F-3 Instruction Manual, ITO Co., Ltd., Tokyo, Japan (1999), 12 pages.	
		Radionics products brochure. "A Significant Breakthrough Using Pulsed Radiofrequency for Pain Management", includes RF Lesion Generator System, Model RFG-3C Plus, (1997), Radionics, Burlington, MA, 10 pages.	
		Rehabicare Ortho Dx product brochure. "Reduce Rehabilitation Time and Enhance Patient Comfort with Ortho Dx", Rehabicare, New Brighton, MN, 2 pages.	
		Rehabicare SMP-plus product brochure. "SMP-plus. The Pain Relief Solution for Hard to Treat Patients", Rehabicare, New Brighton, MN (1999) 2 pages.	
		Rehabicare SporTX Product Data Sheet, 1 page.	
		Rehabicare SporTX Quick Set-Up Instructions, "SPORTX. Get back in the GAME!", Rehabicare, New Brighton, MN, 2 pages.	
		ROMITA, V.V. et al., "Parametric Studies on Electroacupuncture-Like Stimulation in a Rat Model; Effects of Intensity, Frequency, and Duration of Stimulation on Evoked Antinociception," Brain Research Bulletin, (1997) Vol. 42, No. 4, pp. 289-296, Elsevier Science Inc., USA	X
		ROONEY, J.G. et al., "Effect of Variation in the Burst and Carrier Frequency Modes of Neuromuscular Electrical Stimulation on Pain Perception of Healthy Subjects," Physical Therapy, (November 1992) Volume 72, Number 11, pp. 800-809	
		SLUKA, K.A. et al., "Treatment with either High or Low Frequency TENS Reduces the Secondary Hyperalgesia Observed After Injection of Kaolin and Carrageenan into the Knee Joint," Pain, (1998) 77, pp. 97-102, Elsevier Science B.V.	
		SOMERS, D.L., et al., "High-Frequency Transcutaneous Electrical Nerve Stimulation Alters Thermal but not Mechanical Allodynia Following Chronic Constriction Injury of the Rat Sciatic Nerve," Arch. Phys. Med. Rehabil., (1998) 79, pp. 1370-1376	

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Sheet 12 of 12

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Application Number 091751,382  
Confirmation Number 7499  
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Examiner Name George R. Evanisko  
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		STAROBINETS, M. et al., "Analgesic Effect of High-Frequency and Acupuncture Like Transcutaneous Electric Stimulation of Nerve Fibers in Spinal Osteochondrosis," (Russian) Zhurnal Nevropatologii I Psikhiatrii Imeni S.S. Korsakova (1985) 85, (3) pp. 350-354	
		ULETT, G. et al. "Electroacupuncture: Mechanisms and Clinical Application", Biological Psychiatry (July 1998) 44: 129-38.	
		VAN DOREN, C.L., "Contours of Equal Perceived Amplitude and Equal Perceived Frequency for Electrocutaneous Stimuli," Perception and Psychophysics (1997) 59, (4), pp. 613-622	
		WHITE, P. et al. "Percutaneous Neuromodulation Therapy: Does the Location of Electrical Stimulation Effect the Acute Analgesic Response?", Anesthesia & Analgesia (October 2000) 91: 1-6.	X
		WHITE, P. et al. "The Effect of Montage on the Analgesic Response to Percutaneous Neuromodulation. Therapy" Anesthesia & Analgesia (February 2001) 92: 483-7.	X
		PCT International Search Report for International Application No. PCT/US01/31441; mailed 07 May 2002; Applicant: Vertis Neuroscience, Inc., 8 pages.	
		PCT International Search Report for International Application No. PCT/US02/25551; mailed 18 Feb 2003; Applicant: Vertis Neuroscience, Inc. 8 pgs	

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